

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

OHIO VALLEY ENVIRONMENTAL
COALITION, INC., et al.,

Plaintiffs,

v.

CIVIL ACTION NO. 3:11-0149

UNITED STATES ARMY CORPS
OF ENGINEERS, et al.,

Defendant.

ORDER

Currently pending is Plaintiffs' Unopposed Motion to Add Coal River Mountain Watch as a Party Plaintiff Pursuant to Fed. R. Civ. P. 15, 20, and 21 (ECF No. 113). Coal River Mountain Watch asserts the same rights to relief as those asserted by existing Plaintiffs. Coal River Mountain Watch's claims raise identical questions of law and fact as the claims of existing Plaintiffs. Neither the Federal Defendants nor the Intervenor Defendant opposes the motion. Coal River Mountain Watch agrees to be bound by the existing schedule, and will participate jointly with existing Plaintiffs with respect to filings, witness examinations, etc. Further, the filing of Plaintiffs' Second Amended Complaint will in no way prejudice the cross-motions for summary judgment that are currently pending in this case. For these reasons, the Motion is **GRANTED**. The Court **DIRECTS** the Clerk to file Plaintiffs' proposed Second Amended Complaint. The Court **DIRECTS** the Clerk to send a copy of this written Order to counsel of record and any unrepresented parties.

ENTER: March 19, 2012

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', written over a horizontal line.

ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE